Remarks

Claims 10-20 are new herein. Claims 1 and 3 are amended herein. Claims 1-20 remain pending in the Application.

Rejection under 102(e)

<u>Claims 1-6 and 9</u>

In the Office Action, the Examiner rejected Claims 1-6 and 9 under 35 USC 102(e) as being anticipated by Mitchell et al. (2002/0013850). Applicant has reviewed Mitchell et al. and respectfully states that the present invention is not anticipated by Mitchell et al. for the following rationale.

Regarding Claim 1, Applicant respectfully states that Claim 1 includes the feature "a profile module that receives a profile file specifying personal preferences of a user for vehicle traffic report content." Support for the Claimed feature can be found throughout the Specification including Paragraph [0020].

Applicant respectfully disagrees that Mitchell et al. anticipates the feature of Claim 1. Applicant does not understands Mitchell et al. to anticipate or mention any type of personal preference regarding vehicle traffic report content.

Regarding Claim 10, Applicant respectfully states that Claim 10 includes the feature "a profile module that receives a profile file specifying personal preferences of a user for Internet radio content." Support for the Claimed feature can be found throughout the Specification including Paragraph [0019].

Applicant respectfully disagrees that Mitchell et al. anticipates the feature of Claim 10. Applicant does not understands Mitchell et al. to anticipate or mention any type of personal preference regarding Internet radio content.

Regarding Claim 16, Applicant respectfully states that Claim 16 includes the feature "a profile module that receives a profile file specifying personal choice 10001196-1

Examiner: Sail, E.

-5-

Serial No.: 09/896582

Art Unit: 2157

preferences of a user for Internet application_content." Support for the Claimed feature can be found throughout the Specification including Paragraph [0024].

Applicant respectfully disagrees that Mitchell et al. anticipates the feature of Claim 16. Applicant does not understands Mitchell et al. to anticipate or mention any type of personal choice preference regarding Internet Application content.

Therefore, Applicant respectfully submits that prior art does not anticipate the present claimed invention as recited in Claims 1, 10 and 16, and as such, Claims 1, 10 and 16 are in condition for allowance. Accordingly, Applicant also respectfully submits that prior art does not anticipate the present claimed invention as recited in Claims 2-9, 11-15 and 17-20 which are dependent on allowable Independent Claims 1, 10 and 16 and that Claims 2-9, 11-15 and 17-20 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-9, 11-15 and 17-20 are allowable as pending from allowable base Claims.

Rejection under 103(a)

Claims 7 and 8

In the Office Action, the Examiner rejected Claims 7 and 8 under 35 USC 103(a) as being unpatentable over Mitchell et al. in view of Doherty (2002/0052934). Applicant has reviewed the cited reference and respectfully submits that the present invention is not rendered obvious over Mitchell et al. in view of Doherty for the following rationale.

With respect to Claims 7 and 8, Applicant respectfully points out that Claims 7 and 8 depend from the allowable Claim 1 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 7 and 8 are allowable as pending from an allowable base Claim.

10001196-1 Examiner: Sall, E. -6-

Serial No.: 09/896582

Art Unit: 2157

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-20.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

Wagner, Murabito & Hao LLP

Date: 1/4/05

John P. Wagner, Jr. Reg. No. 35,398

Two North Market Street Third Floor San Jose, California 95113 (408) 938-9060

Serial No.: 09/896582

Art Unit: 2157